

UNITED STATES DISTRICT COURT

JUL 26 2019

for the

Southern District of Texas

United States of America

v.

David J. Bradley, Clerk of Court

Case No.

B-19-769-MJ

1 SOTO-GARZA, Eduardo
 2 HERRERA-ACEVEDO, Fernando
 3 GARCIA-DE LEON, Angel Leonardo
 4 Oscar Alejandro Espinoza

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 7/25/2019 in the county of Cameron in the
Southern District of Texas, the defendant(s) violated:

Code Section

21 U.S.C. 841 & 846

Offense Description

Possession with Intent to Distribute
 approximately 132.903 kgs of marijuana,
 a schedule 1 controlled substance.

This criminal complaint is based on these facts:

See Attachments

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 7/25/2019

City and state: Brownsville, Texas

Alejandro Lara
 Complainant's signature

Alejandro Lara, DEA Special Agent

Printed name and title

Ignacio Torteya, III
 Judge's signature

Ignacio Torteya, III, US Magistrate Judge

Printed name and title

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United States

V.

SOTO-GARZA, Eduardo

HERRERA-ACEVEDO, Fernando

GARCIA-DE LEON, Angel Leonardo

ESPINOZA, Oscar Alejandro

ATTACHMENT – A

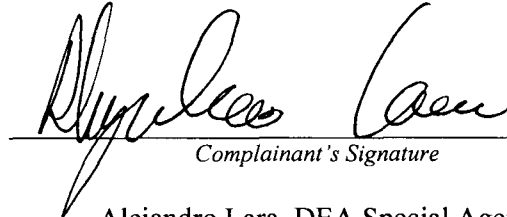
(AFFIDAVIT)

On July 25, 2019, at approximately 0825 hours, Harlingen Border Patrol's Remote Video Surveillance System (RVSS) operator, observed four subjects walking northbound away from the Rio Grande River, just west of Los Indios, Texas. The subjects were observed in a common narcotics trafficking area known as "Adam's Garden Canal." The RVSS operator observed the subjects each to be carrying what appeared to be bundles of narcotics. The RVSS operator dispatched line agents to the area in response. Responding agents arriving to the area, observed four subjects attempting to conceal themselves within the brush line. Agents approached the subjects, at which time, all four fled on foot. One of the subjects, identified as Oscar ESPINOZA, was apprehended immediately. At that time, Agents also apprehended four bundles of what appeared to be narcotics in the same area as ESPINOZA. Agents continued to pursue the other three subjects, traveling in the same direction they originally fled.

CBP Air Support responded to the same area and assisted with the search of the remaining subjects. Agents were able to apprehend all three remaining subjects within a few minutes after the original pursuit began. The remaining subjects identified as Eduardo SOTO-GARZA, Angel Leonardo GARCIA-DE LEON, and Fernando HERRERA-ACEVEDO were transported to the Harlingen Border Patrol Station for questioning. Agents subsequently secured the bundles, counting 4 (four) in total, which weighed approximately 293 lbs. (132.903 kgs), and conducted a field test resulting in a positive result for marijuana.

During post Miranda interviews conducted with Oscar ESPINOZA, Angel Leonardo GARCIA-DE LEON, and Fernando HERRERA-ACEVEDO, each implicated their own

involvement in the original incident, advising that they were carrying a bundle of suspected marijuana from Mexico to the U.S. Eduardo SOTO-GARZA invoked his right to silence; however during their interviews, Oscar ESPINOZA, and Angel Leonardo GARCIA-DE LEON each implicated SOTO-GARZA's involvement in the original incident as well, stating that he (SOTO-GARZA) also was transporting a bundle of marijuana.


Complainant's Signature

Alejandro Lara, DEA Special Agent
Printed Name and Title

Sworn to before me, and subscribed in my presence,

Date: July 25, 2019

City and State: Brownsville, Texas


Judge's Signature

Ignacio Torteya, III, United States Magistrate Judge
Printed Name and Title

**United States District Court
Southern District of Texas
FILED**

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